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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

2:15-cr-00707-SRB
**Motion to Appoint Counsel re:
Supplemental Motion for New
Trial (Dkt. 505)**

Defendant Abdul Malik Abdul Kareem moves the Court to appoint Daniel R. Drake and Daniel D. Maynard as counsel under the Criminal Justice Act, 18 U.S.C. 3006A (CJA), to represent him in connection with his supplemental motion for new trial, filed on June 11, 2018. (Dkt. 505.) He further requests the Court to make this order effective, nunc pro tunc, April 2, 2018. Both Mr. Maynard and Mr. Drake are members of a CJA panel.

Previously, on July 22, 2015, this Court declared this matter a complex case. (Dkt. 37.) Trial took 19 days, exhibits numbered more than 500, and some of the issues in the motion for new trial involve matters of evidence in a separate criminal case tried in the Northern District of Ohio, United States v. Erick Jamal Hendricks, 1:16-cr-00265-JRA-1. In order to prosecute the motion counsel must demonstrate that the newly discovered evidence would put the case in such a different light as to undermine confidence in the verdict. *Strickler v. Greene*, 527 U.S. 263, 290 (1999) (*citing Kyles v. Whitley*, 514 U.S. 419, 435 (1995)). That entails a reference to the evidence at trial. This case warrants appointment of both attorneys to effectively assist Mr. Abdul Kareem.

This Court on June 11, 2015, appointed CJA counsel to represent Mr. Abdul Kareem in district court proceedings. His financial situation has not changed since that time; he has remained in the custody and is now serving his sentence in the Bureau of Prisons correctional institution at Florence, Colorado.

Counsel forwarded a CJA 23 Form to Mr. Abdul Kareem so he can update it and return it to counsel who will then submit it to the Court under seal.

Excludable delay under 18 U.S.C. s 3161(h) will not occur as a result of this notice or an order based thereon.

Respectfully Submitted this 27th day of July 2018.

DRAKE LAW, PLC

s/Daniel R. Drake
DANIEL R. DRAKE

Certificate of Service

I hereby certify that on July 27, 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to CM/ECF registrants:

AUSA Joseph E. Koehler
AUSA Kristen Brook

s/Daniel R. Drake